



CONGRESSIONAL BUDGET OFFICE  
COST ESTIMATE

November 10, 2003

**S. 1317**

**A bill to amend the American Servicemembers' Protection Act of 2002  
to provide clarification with respect to the eligibility of certain  
countries for United States military assistance**

*As reported by the Senate Committee on Foreign Relations on November 7, 2003*

S. 1317 would authorize the President to provide military assistance to countries that have concluded a protocol for accession to the North Atlantic Treaty Organization (NATO) without waiving the restriction on such assistance contained in the American Servicemembers' Protection Act of 2002. CBO estimates that implementing the bill would have no effect on the federal budget.

The American Servicemembers' Protection Act prohibits U.S. military assistance to any country that is a party to the International Criminal Court. The President may waive the prohibition for a particular country if he determines and reports to the Congress that it is important to the national interest of the United States to waive the prohibition or if a country has entered into an agreement with the United States preventing the International Criminal Court from proceeding against U. S. personnel present within that country. The prohibition does not apply to NATO members, major non-NATO allies, or Taiwan. S. 1317 would extend the automatic exemption to any country that has concluded a protocol for accession to NATO.

Under the protocols for accession to NATO signed by the United States and the other 18 members of NATO on March 26, 2003, six countries—Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia—will be invited to join the alliance once the 19 current NATO countries ratify the protocols. Those six countries have been receiving and will continue to receive military assistance to the extent provided in annual appropriations acts under S. 1317.

S. 1317 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact is Joseph C. Whitehill. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.